

REMARKS

The Examiner is thanked for the due consideration given the application.

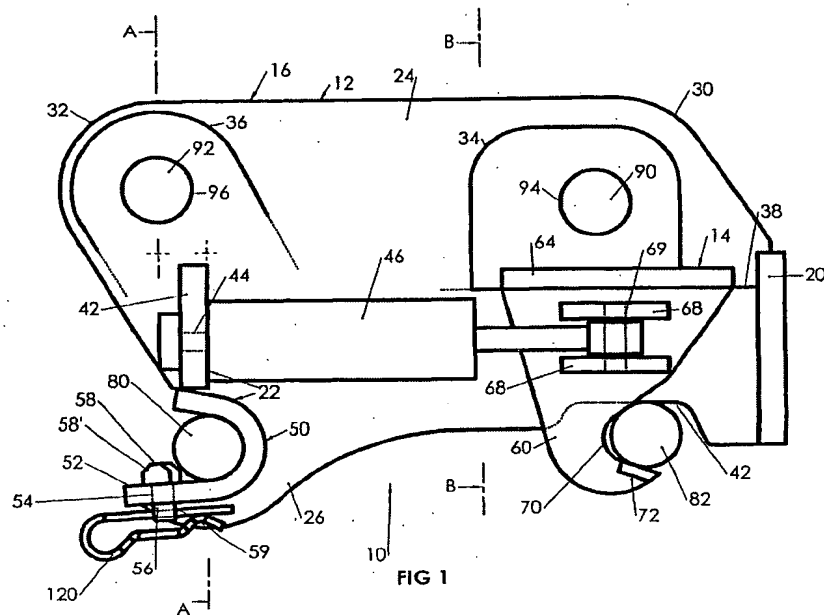
Claims 1-11 and 14-23 are pending in the application. Acknowledgement of the allowability of claims 3 and 4 is noted with appreciation. Claim 1 has been amended to better set forth the invention being claimed. Allowable claim 3 has been amended to stand as an independent claim by generally incorporating the subject matter of claims 1 and 2. Claims 12 and 13 have been canceled without prejudice or disclaimer as being general duplicates of claims 3 and 4. Claims 14-23 are newly presented and generally correspond to the invention embodied in Figure 6 of the application.

No new matter is believed to be added to the application by this amendment.

Rejection Under 35 USC §102(b)

Claims 1, 2 and 5-12 have been rejected under 25 USC §102(b) as being anticipated by MELANDER (U.S. Patent 6,431,785). This rejection is respectfully traversed.

The present invention pertains to an apparatus for connecting an implement to a prime mover. The present invention includes technology that can retain a connecting pin in a recess in the event of removal or failure of a retainer. The present invention is illustrated, by way of example, in Figure 1 of the application, which is reproduced below.



As is set forth in claim 1 of the present invention, the apparatus includes a connector that is mountable on the prime mover and has at least one recess for receiving a connecting pin mounted on the implement to enable the connector to engage the implement. A retaining means is provided which, in use, holds the implement on the connector. Claim 1 of the present invention recites: "a means provided for, in use, mounting on the connector a retaining element positioned so that a head of the retaining element serves to retain the connecting pin in the recess, in event of failure or removal of the retaining means."

MELANDER pertains to a direct pin quick coupler. The Official Action refers to Figures 1, 3, 4 and 5 of MELANDER. Figure 5 of MELANDER is reproduced below.

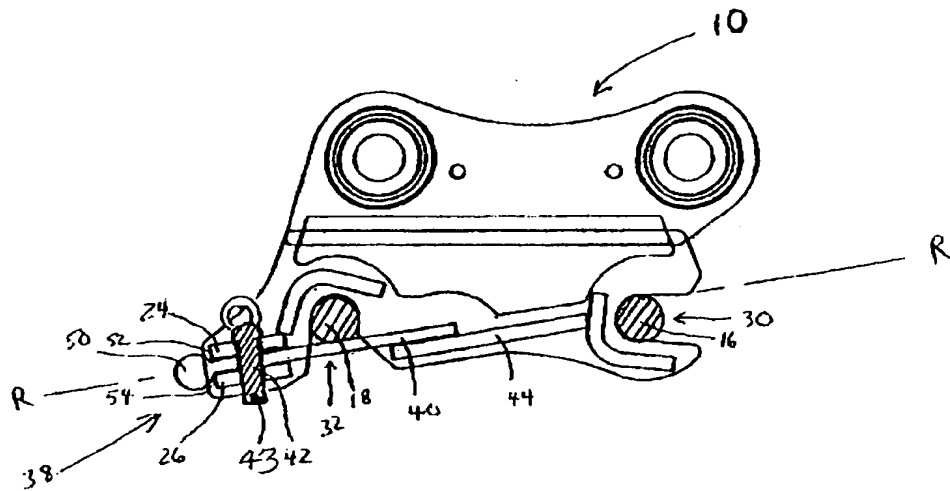


FIG 5

Figure 5 of MELANDER shows a downwardly pointing recess 32 into which a connection pin 18 is positioned during use. Figure 5 of MELANDER also shows a lock pin 42 and a lock plate 40, which the Official Action refers to as a "retaining element 42" and a "head 40 of the retaining element."

However, in MELANDER, in the event of failure or opening, e.g., by removal of the part 40, the implement will fall from the connector. In contrast, in claim 1 of the present invention the implement would still be connected to the connector by the retaining element. See also Figure 6 of the present invention and new claims 14-23.

MELANDER accordingly fails to disclose "means provided for, in use, mounting on the connector a retaining element positioned so that a head of the retaining element serves to retain the connecting pin in the recess, **in event of failure or**

removal of the retaining means," such as is set forth in claim 1 of the present invention.

MELANDER additionally fails to disclose a coupler having more than a single locking connection.

That is, MELANDER shows only a single locking connection between the connector and the implement formed by the combination of lock plate 40 and lock pin 42. This is, at most, equivalent to the sliding jaws 60 in the present application and corresponds only to the retaining means of amended claim 1.

As a result, the means for "mounting on the connector a retaining element" of claim 1 is a completely separate item which has no equivalent in MELANDER. This latter element is in fact a safety device to maintain connection between the connector and the implement even if the hydraulic system fails (or there is some other malfunction) and the jaw 60 opens. MELANDER thus fails to show the ability to provide two connections between the connector and the implement.

MELANDER accordingly fails to teach each and every element of claim 1 of the present invention. Claim 1 of the present invention is thus not anticipated by MELANDER. Claims depending upon claim 1 are patentable for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Conclusion

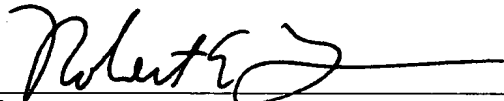
Prior art cited but not utilized is believed to be non-pertinent to the instant claims.

The rejection is believed to have been overcome, obviated or rendered moot, and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Robert E. Goozner, Reg. No. 42,593
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REG/lrs